

In the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Upon entry of the present amendment, the claims will stand as follows:

Please cancel claims 54, 55, 58-61, 73-79, 82 and 83 without prejudice.

Claims 1-39. (Cancelled)

40. (Previously Presented) An immunomodulating composition for treating autoimmune diabetes, said composition comprising one or more nucleic acid constructs encoding GAD self-antigen and IL-10 in a pharmaceutically acceptable carrier.

41. (Previously Presented) The composition of claim 40, wherein the autoimmune diabetes is type I diabetes.

Claims 42-44. (Cancelled)

45. (Previously Presented) The composition of claim 40, wherein the nucleic acid constructs further comprise a regulatory element operatively linked to the nucleic acid encoding the self-antigen or the IL-10.

46. (Previously Presented) The composition of claim 45, wherein the regulatory element is a promoter selected from the group consisting of Mouse Mammary Tumor Virus (MMTV) promoter, Human Immunodeficiency Virus Long Terminal Repeat (HIV LTR) promoter, Moloney virus promoter, ALV promoter, Cytomegalovirus (CMV) promoter, human Actin

Claims 47-68. (Cancelled)

69. (Previously Presented) An immunomodulating composition for treating autoimmune diabetes, said composition comprising one or more nucleic acid constructs encoding an insulin B-chain self-antigen and a cytokine selected from the group consisting of IL-10, IL-4, and a combination thereof, in a pharmaceutically acceptable carrier.

70. (Previously Presented) The composition of claim 69, wherein the autoimmune diabetes is type I diabetes.

71. (Previously Presented) The composition of claim 69, wherein the nucleic acid constructs further comprise a regulatory element operatively linked to the nucleic acid encoding the self-antigen or the cytokine.

72. (Previously Presented) The composition of claim 71, wherein the regulatory element is a promoter selected from the group consisting of Mouse Mammary Tumor Virus (MMTV) promoter, Human Immunodeficiency Virus Long Terminal Repeat (HIV LTR) promoter, Moloney virus promoter, ALV promoter, Cytomegalovirus (CMV) promoter, human Actin promoter, human Myosin promoter, RSV promoter, human Hemoglobin promoter, human muscle creatine promoter and EBV promoter.

Claims 73-83. (Cancelled)